



Claimant suffered a compensable low back injury on February 6, 1998. No claim is made for work disability. Two physicians provided functional impairment ratings. Dr. Murati diagnosed lumbosacral strain with right SI joint inflammation and rated the impairment as 5 percent of the whole body based on the *AMA Guides to the Evaluation of Permanent Impairment*, Fourth Edition. Dr. Murati's rating was based on DRE classification II. Dr. Koprivica acknowledged that the Fourth Edition favored the DRE classification method of rating for back injury but stated that in his opinion this understated the impairment. He added 5 percent for loss of range of motion to arrive at a total rating of 10 percent. The ALJ awarded benefits based on 5 percent disability. The Board agrees with and affirms the conclusion of the ALJ. The Board finds, based on the expert testimony, the 5 percent rating is based on the method preferred under the *AMA Guides*.

### **AWARD**

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the decision entered by Administrative Law Judge Pamela J. Fuller on November 8, 1999, should be, and the same is hereby, affirmed.

### **IT IS SO ORDERED.**

Dated this \_\_\_\_ day of February 2000.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: Lawrence M. Gurney, Wichita, KS  
Shirla McQueen, Liberal, KS  
Pamela J. Fuller, Administrative Law Judge  
Philip S. Harness, Director